

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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RHOBAR, INC., RHOBAR DEVELOPMENT  
ASSOCIATES, LLC., ACKERLY ASSOCIATES, LLC.,  
SILVER HUNTINGTON ENTERPRISES, LLC.,  
and SILVER HUNTINGTON REALTY, LLC.,

**07 Civ. 6100 (BSJ) (HBP)**

Plaintiffs,

-against-

**NOTICE OF MOTION**

HOWARD SILVER, 2 ON THE AISLE, INC.,  
DAVID A. KAMINSKY & ASSOCIATES, P.C.,  
MARTIN G. DOBIN, ESQ., a/k/a JERRY DOBIN, ESQ.,  
and ELLIOT J. HURDY,

Defendants.  
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**PLEASE TAKE NOTICE** that upon the annexed affirmation of James English, Esq., affirmed on February 29, 2008, and upon the exhibits attached thereto, and the pleadings herein, Defendants HOWARD SILVER, DAVID A. KAMINSKY & ASSOCIATES, P.C., and MARTIN G. DOBIN, ESQ., a/k/a JERRY DOBIN, ESQ. will move this Court, before Judge Henry Pitman, United States Magistrate Judge, for an order pursuant to Rule 6 of the Federal Rules of Civil Procedure granting Defendants leave to amend their Amended Answer to the Complaint, that the Amended Answer be deemed amended as provided herein, and for such other and further relief as may be just and proper.

**I declare under penalty of perjury that the foregoing is true and correct.**

Dated: New York, New York  
February 29, 2008

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By: James English, Esq.  
DAVID A. KAMINSKY & ASSOCIATES, P.C.  
Attorneys for Defendants  
325 Broadway, Suite 504  
New York, New York 10007  
Telephone No.: (212) 571-1227  
Fax Number: (212) 571-7004